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June 17, 2003

## VIA HANÐ DELIVERY

Ms. Marlene R. Dortch Office of the Secretary Federal Communications Commission 445 12<sup>th</sup> Street, S.W. Washington, D.C. 20554 JUN 1 7 2003

RECEIVED

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Advantage Cellular Systems, Inc.

CC Docket No. 96-45

Supplement to Petition of Advantage Cellular Systems, Inc. to be Designated as an Eligible Telecommunications Carrier

Dear Ms. Dortch:

On behalf of Advantage Cellular Systems, Inc. and pursuant to Section 1.51(c)(1) of the Federal Communications Commission's Rules, enclosed for filing are an original and four (4) copies of the above referenced Supplement.

If you have any questions, please communicate directly with the undersigned.

Sincerely,

Rebecca Murphy

R.7.12

Enclosures

## Before the Federal Communications Commission Washington, D.C. 20554

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JUN 1 7 2003

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of	VERTICE OF THE SECRETARY
in the Matter of	· ·
	)
Federal-State Joint Board on	) CC Docket No. 96-45
Universal Service	)
	)
Advantage Cellular Systems, Inc.	)
,	)
Application for Designation as an	)
Eligible Telecommunications Carrier	)
in the State of Tennessee	)

To: Wireline Competition Bureau

## SUPPLEMENT TO PETITION OF ADVANTAGE CELLULAR SYSTEMS, INC. TO BE DESIGNATED AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

On May 9, 2003, Advantage Cellular Systems, Inc. ("Advantage"), by its attorneys, filed with the Federal Communications Commission ("FCC" or "Commission") a Petition of Advantage Cellular Systems, Inc. to be Designated as an Eligible Telecommunications Carrier ("Petition"). On page 16 of Advantage's Petition, Advantage incorrectly referred to BellSouth Telecommunications Inc. ("BellSouth") as an independent rural local exchange carrier ("LEC"). As Advantage correctly stated on Page 5 of the Petition, BellSouth is not a rural telephone company.

See Advantage Petition at 5. "Advantage seeks ETC status for the partial study areas of BellSouth Telecommunications Inc. ("BellSouth"), Ben Lomand Rural Telephone Cooperative Inc. ("Ben Lomand"), Bledsoe Telephone Cooperative Inc. ("Bledsoe"), Dekalb Telephone Cooperative, Inc. d/b/a DTC Communications ("DTC Communications"), Citizens Telecommunications Company of Tennessee d/b/a Frontier Communications ("Frontier"), North Central Telephone Cooperative Inc. ("North Central"), and Twin Lakes Telephone Cooperative

Section 214(e)(6) of the Communications Act of 1934, as amended,<sup>2</sup> provides that the Commission, before designating an additional eligible telecommunications carrier ("ETC") for an area served by a rural telephone company, must find that the designation is in the public interest. Therefore, since BellSouth is *not* a rural telephone company, the Commission need not find that Advantage's ETC designation with regards to BellSouth is in the public interest. Further, since BellSouth is not a rural telephone company, the Commission need not make a determination, pursuant to Section 214(e)(5) and Section 54.207 of the Commission's Rules,<sup>3</sup> whether Advantage's designated ETC service area may differ from BellSouth's study area.

Advantage respectfully requests that the FCC accept this supplemental clarification and grant Advantage's Petition.

Respectfully submitted,

ADVANTAGE CELLULAR SYSTEMS, INC.

By:

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Washington, DC 20005

202-371-1500

June 17, 2003

Its Attorneys

Corporation ("Twin Lakes"). All of the above listed companies are rural telephone companies as defined in the Act, except BellSouth."

<sup>&</sup>lt;sup>2</sup> Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996). The 1996 Act amended the Communications Act of 1934. 47 U.S.C. § 151, et seq. ("the Act"); see 47 U.S.C. § 214(e)(6).

See 47 U.S.C. § 214(e)(5) and 47 C.F.R. § 54.207.

## **CERTIFICATE OF SERVICE**

I, Joy Barksdale, hereby certify that a copy of the foregoing Supplement to Petition of Advantage Cellular Systems, Inc. to be Designated as an Eligible Telecommunications Carrier was served on June 17, 2003, by first-class United States mail, postage prepaid, on the individuals and companies listed below:

Sara Kyle, Chairman Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243-0505

Dekalb Telephone Cooperative, Inc. d/b/a DTC Communications P.O. Box 247 111 High Street Alexandria, TN 37012-0247

BellSouth Telecommunications Inc. 26941 Cabot Road #134 Laguna Hills, CA 92653

Ben Lomand Rural Telephone Cooperative Inc. 311 N Chancery St P O Box 670 McMinnville, TN 37111

Bledsoe Telephone Cooperative Inc. 203 Cumberland Avenue P.O. Box 609 Pikeville, TN 37367-0609

Citizens Telecommunications Company of Tennessee d/b/a Frontier Communications 250 South Franklin Street Cookeville, TN 38501

North Central Telephone Cooperative Inc. 872. E. Hwy. 52 Bypass PO Box 70 Lafayette. TN 37083

Twin Lakes Telephone Cooperative Corporation 201 Gore Street PO Box 67 Gainesboro, TN 38562-0067 Mr. Paul Garnett Wirefine Competition Bureau Federal Communications Commission 445 12<sup>th</sup> Street, S.W. Washington, D.C. 20554

Mr. Thomas Buckley Wireline Competition Bureau Federal Communications Commission 445 12<sup>th</sup> Street, S.W. Washington, D.C. 20554

Joy Barksdale